



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

August 1, 2006

Ordinance

Proposed No. 2006-0334.1

Sponsors Hague and Phillips

1 AN ORDINANCE relating to protecting lives and property
2 by controlling flooding in King County; ordering the
3 formation of a countywide flood control zone district and
4 dissolving existing flood control zone districts within the
5 county as required by state law; and repealing Resolution
6 30560, 30950, 30633, 34107, 31058, 30849, 25183, 28339,
7 32463, 28067 and 25759 and Ordinance 2005.

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10 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

11 **SECTION 1. Findings:**

12 A. Every year, King County faces significant threats from flooding, the impacts
13 of which are far-reaching and pose significant threats to public health and safety and
14 economic activities throughout the county.

15 B. Flooding impacts public infrastructure, including transportation corridors and
16 critical public safety facilities, as well as private businesses and personal residences, all

17 of which are vital to the health, safety and well being of citizens throughout the entire
18 county. Since 1990 King County has been declared a flood disaster area seven times.

19 C. Throughout King County there are nearly five hundred aging flood protection
20 facilities that, because of historical and current revenue limitations, cannot be repaired or
21 maintained adequately. In addition, there are significant needs for new or enhanced flood
22 protection facilities and measures throughout the county. Floods in future years are
23 expected to exceed the capacity and protective abilities of existing flood protection
24 facilities, thereby threatening property, lives, major transportation corridors, communities
25 and regional economic centers.

26 D. Beginning in December 2005, King County experienced one of the longest
27 consecutive periods of rainy days on record, which revealed numerous deficiencies in the
28 county's aging flood protection system.

29 E. Some of the region's largest employers, such as Boeing, have major facilities
30 in areas protected by aging levies. Significant damage to those facilities from flooding
31 would have far-reaching economic impacts throughout the region.

32 F. The one-hundred-year floodplain in King County covers more than twenty-
33 five thousand acres in the county or close to forty square miles. As of 2005, there were
34 more than two thousand structures in the one-hundred-year floodplain with a total
35 assessed valuation of two billion seven hundred million dollars. The flood control needs
36 in King County are described more extensively in chapter 3 of the 2006 King County
37 Flood Hazard Management Plan.

38 G. The impacts of flooding can be severe and extend far beyond the floodplain
39 itself. Buildings can be reduced to rubble along with household furnishings and business

inventories. In addition to the direct threats and damage from floodwater, people face the threat of electrocution, explosions, and fires caused by leaking gas lines and damaged electrical lines. Severe flooding can also destroy utility infrastructure, causing extensive disruptions in service. Loss of power and communication is common with severe floods. Damage to drinking water and wastewater facilities can spread disease. In addition, impacts to roads and highways can impair the mobility of people, goods and services, including emergency service vehicles and personnel.

H. One of the most fundamental functions of government is to protect citizens and public and private property from the ravages of natural disasters such as flooding.

I. Flood control needs exist throughout the county, and an integrated and coordinated approach is needed to effectively and efficiently address those needs.

J. Chapter 86.15 RCW authorizes the King County council to initiate the creation of a countywide flood control zone district within King County for the purpose of undertaking, operating, or maintaining flood control projects or storm water control projects, among other powers. A countywide district is authorized to address flood and storm water control needs throughout the county, including within King County cities.

K. Certain flood control zone districts currently exist in the county. Many of them were formed as long as forty years ago to serve discrete areas of the county, but are now inactive. Currently, only two districts, the Green River and Patterson Creek flood control zone districts are active in the county and only one, the Green River Flood Control Zone District, has an ongoing revenue source.

L. RCW 86.15.023 provides that the council may not establish a flood control zone district that includes areas located in another flood control zone district unless the

63 area is removed from the other district, or the other district is dissolved, as part of the
64 action creating the new flood control zone district.

65 M. In July 2006, the council adopted an ordinance setting a public hearing on the
66 formation of a countywide flood control zone district and the dissolution of existing
67 districts in accordance with state law. State law provides that the council shall issue an
68 order regarding district formation following the final hearing. This ordinance constitutes
69 the order regarding district formation required under RCW 86.15.030.

70 SECTION 2. In accordance with RCW 86.15.023, all existing flood control zone
71 districts within the county are hereby dissolved, ("the dissolved districts") including,
72 without limitation, the districts identified below, as of the later of February 15, 2007, or
73 the effective date of this ordinance. Further, the following resolutions and ordinance,
74 which created the districts, are hereby repealed as of the later of February 15, 2007, or the
75 effective date of this ordinance: the Coalfield Flood Control Zone District and
76 Resolution 30560, passed August 30, 1965; the Cumberland Flood Control Zone District
77 and Resolution 30950, passed November 15, 1965; the Enumclaw Flood Control Zone
78 District and Resolution 30633, passed September 13, 1965; the Evans Creek Flood
79 Control Zone District and Resolution 34107, passed September 11, 1966; the Green River
80 Flood Control Zone District and Resolution 31058, passed December 6, 1965; the
81 Greenwater River Flood Control Zone District and Resolution 30849, passed October 25,
82 1965; the Hylebos Flood Control Zone District and Ordinance 2005, passed April 22,
83 1974; the Kimball Creek Flood Control District and Resolution 25183, passed December
84 17, 1962; the Patterson Creek Flood Control Zone District and Resolution 28339, passed
85 August 3, 1964; the Sikes Flood Control Zone District and Resolution 32463, passed

86 September 26, 1966; the Southwest Lake Sammamish Flood Control Zone District and
87 Resolution 28067, passed June 15, 1964; and the West Lake Sammamish Flood Control
88 Zone District and Resolution 25759, passed April 29, 1963.

89 SECTION 3. The existing flood control zone districts having been dissolved, in
90 accordance with chapter 86.15 RCW, a countywide flood control zone district covering
91 the entire area of King County with boundaries as set forth in Attachment A to this
92 ordinance is hereby created as of the later of February 15, 2007, or the effective date of
93 this ordinance. The new district shall be known as the "King County Flood Control Zone
94 District." The King County Flood Control Zone District will address flood control needs
95 throughout King County, including, without limitation, needs in the areas comprising the
96 dissolved districts.

97 SECTION 4. Upon the creation of the King County Flood Control Zone District,
98 all real and personal property of any nature whatsoever of any dissolved districts is
99 hereby transferred to the King County Flood Control Zone District, including, without
100 limitation, any rights to collect taxes or other money or property owed to any of the
101 dissolved districts. The section manager of the stormwater services section, a
102 professional engineer, of the water and land resources division of the King County
103 department of natural resources and parks, is hereby appointed as the county engineer for
104 the purposes of winding up the affairs of the dissolved districts and transferring their
105 assets, including but not limited to all property, both personal and real, and all property
106 rights to the King County Flood Control Zone District, and is hereby authorized to

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107 execute any agreements or take such other actions as are necessary or convenient to effect
108 such property transfers or otherwise wind up the affairs of the dissolved districts.
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KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

ATTEST:

APPROVED this ____ day of _____, ____.

Attachments None